

REMARKS

The Office action mailed on 28 May 2004 (Paper No. 6) has been carefully considered.

Claims 1, 3 and 14 are being amended, and new claims 21 and 22 are being added. Thus, claims 1 thru 22 are pending in the application.

On page 2 of the Office action, the Examiner objected to claim 14 because the word "step" is mistyped. Claim 14 is being amended to correct the typographical error.

On page 2 of the Office action, the Examiner rejected claims 1 thru 20 under 35 U.S.C. §102 for alleged anticipation by Kang *et al.*, U.S. Patent No. 6,441,988. For the reasons stated below, it is submitted that the invention recited in the claims, as now amended, is distinguishable from the prior art cited by the Examiner so as to preclude rejection under 35 U.S.C. §102 or §103.

Independent claims 1 and 14 are being amended to recite (in claim 1) "receiving means" for, and (in claim 14) the step of, receiving an acceleration command having a target acceleration which leads a target velocity and a target position by a predetermined time" (quoting from the claims). That limitation distinguishes the invention from the prior art cited by the Examiner.

Specifically, Kang *et al.* '988 does not disclose or suggest an acceleration command, or "receiving means" for or the step of receiving the acceleration command, as recited in claims 1 and 14. This is because the acceleration command input to the actuator 38 (Figure 3) of the present invention is different from the acceleration correction value (Ea) input to the actuator of Kang *et al.* '988 in that the acceleration command input to the actuator of the present invention has a target acceleration which **leads a target velocity and a target position by a predetermined time (Td')**, while the acceleration correction value (Ea) input to the actuator of Kang *et al.* '988 does not lead velocity or position by a predetermined time. Since the target acceleration used in the present invention is set in consideration of the time delay (Td'), overshoot can be eliminated and the actual position of a head can correctly and desirably follow the desired target position on a desired track. Such is not the case in Kang *et al.* '988. Thus, although the drawings of the present application have some parts similar to Kang *et al.* '988, the present invention is distinguished from the disclosure of Kang *et al.* '988 because, in the present invention, the head is moved using a target acceleration which is not disclosed in Kang *et al.* '988.

The latter distinction is evident from a comparison of the present application, which discloses and claims (*see* claims 21 and 22) an equation (equation (5) on page 11 of the specification) representing the target acceleration, with the disclosure of Kang *et al.* '988, which does not disclose or suggest such an equation.

In view of the above, it is submitted that the claims of this application are in condition for allowance, and early issuance thereof is solicited. Should any questions remain unresolved, the Examiner is requested to telephone Applicant's attorney.

A fee of \$36.00 is incurred by the addition of two (2) total claims in excess of total 20. Applicant's check drawn to the order of Commissioner accompanies this Amendment. Should the check become lost, be deficient in payment, or should other fees be incurred, the Commissioner is authorized to charge Deposit Account No. 02-4943 of Applicant's undersigned attorney in the amount of such fees.

Respectfully submitted,



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